

Application No. 10/663,971

REMARKS

Claims 1-19 and 27-30 are pending. By this Amendment, claims 1, 2, 13, 14, 27 and 28 are amended. The amendments to claims 1, 13 and 27 are supported by the specification at, for example, page 5, lines 5-15. The amendments to claims 2, 14 and 28 are supported by the specification at, for example, page 7, lines 6-15. No new matter is introduced by the present Amendment.

Applicants note that the Examiner did not initial reference 2003014294, which was submitted on form PTO-1449 in an IDS filed on February 3, 2004. Applicants respectfully request a copy of the form PTO-1449 indicating that the Examiner considered the 2003014294 reference.

Claims 1, 3, 7, 12, 13, 18, 19, and 27 stand as rejected, and claims 2, 4-6, 8-11, 14-17 and 28-30 have been indicated as allowable if rewritten in independent form. Applicants respectfully request reconsideration of the rejections based upon the following remarks.

Claim Objections

The Examiner objected to claims 7-10, 15, 16, 29 and 30 under 37 C.F.R. 1.75(c) as being of improper dependent form for failing to limit the subject matter of a previous claim. With respect to claims 7, 8 and 9, Applicants note that claim 1 recites that E can be a bond, O, S, C=O, NR₈, CR₉R₁₀ group, a heterocyclic group or an aromatic group, and as such claims 7, 8 and 9 are in proper dependent form. With respect to claims 10, 15, 16, 29 and 30, the Examiner asserted that the thiadiazolyl group is not a bond and cannot be represented by any of the atoms or groups presented for Z. Applicants note that the thiadiazolyl group in claims 10, 15, 16, 29 and 30 is the E group, not the Z group. Since the thiadiazolyl group is an aromatic heterocyclic group, and independent claims 1, 13 and 27 indicate that the E groups can be a heterocyclic group or an aromatic group among other explicit possibilities, claims 10, 15, 16, 29 and 30 are in

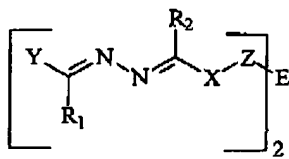
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proper dependent form. Since claims 7-10, 15, 16, 29 and 30 are in proper dependent form, Applicants respectfully request the withdrawal of the objection to claims 7-10, 15, 16, 29 and 30 under 37 C.F.R. 1.75(c) as being of improper dependent form.

Rejections Under 35 U.S.C. § 102

1. Rejections Based on U.S. Patent 4,594,304

The Examiner rejected claims 1, 3, 12 and 27 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 4,594,304 (the '304 patent). More specifically, the Examiner asserted that the '304 patent discloses "an organophotoreceptor containing a conductive substrate and an electrophotographic light sensitive layer containing a charge transporting compound given by the formulae (16), (17), (18), or (19)." To advance prosecution of the case, Applicants have amended claims 1 and 27 to indicate that the Y group in the formula of the claim is triphenyl amine or a heterocyclic-(N,N-disubstituted)arylamine. The '304 patent does not teach or suggest a charge transport compound having the formula

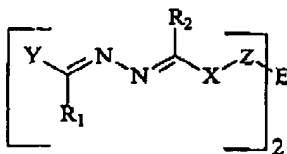


wherein Y is a triphenyl amine or a heterocyclic-(N,N-disubstituted)arylamine, as presently claimed in independent claims 1 and 27. Since this feature of Applicants' claimed invention is not disclosed by the '304 patent, the '304 patent does not prima facie anticipate Applicants' invention, as presently claimed in independent claims 1 and 27. Since the '304 patent does not prima facie anticipate Applicants' claimed invention, Applicants respectfully request withdrawal of the rejections of claims 1, 3, 12 and 27 under 35 U.S.C. § 102(b) as being anticipated by the '304 patent.

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2. Rejections Based on U.S. Patent 4,619,880

The Examiner rejected claims 1, 3, 12 and 27 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 4,619,880 (the '880 patent). More specifically, the Examiner asserted that the '880 patent discloses "an organophotoreceptor containing a conductive substrate and an electrophotographic light sensitive layer containing a charge transport compound given by the formulae (1), (2), (3) or (4).")." The '880 patent does not teach or suggest a charge transport compound having the formula



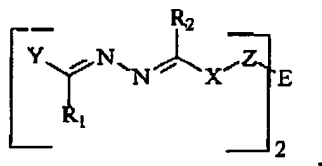
wherein Y is a triphenyl amine or a heterocyclic-(N,N-disubstituted)arylamine, as presently claimed in independent claims 1 and 27. Since this feature of Applicants' claimed invention is not disclosed by the '880 patent, the '880 patent does not prima facie anticipate Applicants' invention, as claimed in independent claims 1 and 27. Since the '880 patent does not prima facie anticipate Applicants' invention, as claimed in independent claims 1 and 27, Applicants respectfully request the withdrawal of the rejections of claims 1, 3, 12 and 27 under 35 U.S.C. § 102(b) as being anticipated by the '880 patent.

Rejections Under 35 U.S.C. § 103(a)

1. Rejections Under U.S. Patent 4,594,304

The Examiner rejected claims 1, 3, 7, 12 and 27 under 35 U.S.C. § 103(a) as being unpatentable over the '304 patent. As discussed above, the '304 patent does not teach or suggest a charge transport compound having the formula

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wherein Y is a triphenyl amine or a heterocyclic-(N,N-disubstituted)arylamine, as presently claimed in independent claims 1 and 27. Since the '304 patent does not teach or suggest this feature of Applicants' claimed invention, the '304 patent does not render Applicants' invention, as claimed in independent claims 1 and 27, prima facie obvious. Since the '304 patent does not render Applicants' invention, as claimed in independent claims 1 and 27, prima facie obvious, Applicants respectfully request the withdrawal of the rejections of claims 1, 3, 7, 12 and 27 under 35 U.S.C. § 103(a) as being unpatentable over the '304 patent.

2. Rejections Under U.S. Patent 4,594,304 In View of Diamond

The Examiner rejected claims 13, 18 and 19 as being unpatentable over the '304 patent in view of Diamond, "Handbook of Imaging Materials" pp.145-164, 239-242. Applicants submit that neither the '304 patent nor the Diamond reference disclose or suggest a charge transport compound as presently claimed in independent claim 13, wherein Y is a triphenyl amine or a heterocyclic-(N,N-disubstituted)arylamine. Since combination of the '304 patent and the Diamond reference does not render Applicants invention, as claimed in independent claim 13, prima facie obvious, Applicants respectfully request the withdrawal of the rejections of claims 13, 18 and 19 as being unpatentable over the '304 patent in view of Diamond, "Handbook of Imaging Materials" pp.145-164, 239-242.

CONCLUSION

In view of the foregoing, it is submitted that this application is in condition for allowance. Favorable consideration and prompt allowance of the application are respectfully requested.

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The Examiner is invited to telephone the undersigned if the Examiner believes it would be useful to advance prosecution.

Respectfully submitted,



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